

Quid Novi

McGill University Faculty of Law
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CAREER DAY

KEEP YOUR EYE ON THE PRIZE...



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Editor's Note...

For lack of a rubber bat, repeat after me:
I love you.
You love me.
We leave each other.

Now let's shaaare that Illove.

Ou allez directement à la page 14 et découvrez pourquoi vos éditeurs se sentent des velléités hippies.

XOXOX

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Tales from the Barreau VII

Show Me the Love

by Al "Ex Presidente" Mendelsohn (Alumnus 2)

Right off the bat - stop your complaining (or your nitpicking, or your whining, or whatever). Yes, I know that the last Tales were subtitled "The Final Chapter," and by definition they should have been the last in the series. But as horror movie fanatics know, there were no less than **six** Friday the 13th movies after that series' "The Final Chapter," and there may still be more in the works. So I figure I've got at least five more columns to go.

And the fact is that while my Tales were *finished*, evidently they were *incomplete*. They were incomplete, because as Ms. Levine wrote in the Quid two weeks ago, "for the life of me I can't understand what you Alumni think is gained by giving us all the bad stuff and nothing to balance it out with." Damn right. Well said. Hallelujah! So this article is hopefully the balance that is required.

Before I begin, I'd like to point out that I am bothered that maybe I appear, to those of you who only know me through the Tales, as some sort of negative guy who hates stuff. Nothing could be further from the truth! While it may be a result of the influence of my friend Happy Herb, the fact is I'm a fun-loving, joyous, perma-smile kind of guy. I hate negativity, and always try to point out the good in things and people. So, major props to Ms. Levine for pointing out how the Tales read to an independent observer. Let's correct that - bring on the love...

So why would you want to survive the Barreau and practice in Montreal? Well the answer is simple - MONTREAL IS THE GREATEST FUCKIN' CITY IN THE WORLD. While I think this is obvious (I was born here and spent virtually all my life here), it needs to be repeated as often as possible. I once lived in Toronto for three months, and that was about all I could take before I ran home as fast as I could. There is an old expression that Montrealers like to use when discussing Toronto - "Torontonians live to work, while Montrealers work to live." I don't want to get into Toronto-bashing (too late), but I want to point out the subtle differences between this city and every other city in North America (well, maybe except New Orleans). This city lives to party, plain and simple. Two minutes on the street during the Jazz Festival will tell you that. Two minutes on the street at the Toronto Jazz Festival and

you'll say it's nap time.

Well, let's take a step back, all the way to the last paragraph. I did write "survive the Barreau," which maybe wasn't all that lovely. Unfortunately, the simple fact is that the Barreau is 8 months long, longer than any other Bar in North America (no way to sugar-coat that). So it's a bit of an endurance test, which is why it must be "survived." But, truthfully, Ms. Levine, I agree with that other student you mentioned - it isn't as bad as everyone says it is. Look, not only did I survive, I thrived. I was able to work 10-20 hours a week at my law firm to earn some cash, and I was able to go out on the weekend and enjoy life. And I never missed an episode of West Wing, or 24, or Oz, or The Simpsons, or Temptation Island II, or - well, you get the idea. And I passed all 6 exams on my first try. The Barreau was a joke! And I say that about the hardest year ever at the Barreau, when the passing rates were 55% on the first two exams. This year, they were 65% and 80%. Eighty percent!!! Undoubtedly the 20% who failed were all from UQAM anyway. So you're guaranteed to pass. I have no idea why this year's students are complaining.

OK, so you've made it through the Barreau and you are a practicing lawyer. Yes, salaries are lower in Montreal than they are in Toronto or New York. But who cares? Those guys in Toronto and N.Y. work like slaves. I get out of the office on average around 6:00 or 7:00. My friends in New York are there until midnight. My billing target is 1800 hours per year, and that figure is high for Montreal. Not to mention that is only a loose target and frankly, nothing happens if I don't make it. In New York, they have to bill 2200. Yikes. Legendary McGill grad "The Commish" works in New York - he came to visit Montreal one weekend (for a day) and said this was his one weekend off out of four. When I work on the weekend (maybe once every four and only in emergencies), I stroll in at 11:00 and spend a few hours. No problem.

Also, if you are really interested in money, some of the big Montreal firms (Davies, McCarthy, etc.) have salaries that are

approaching salaries in Toronto. But if you're in it for the money, you're probably going to Toronto or New York anyway. In Montreal we make a trade - we give up a few bucks for some quality of life. I'll make that trade any day, as quick as André Savard can trade a number-one goalie to a team in his own division.

Alright, maybe you think that this is just a life-long Montrealer who is proud of his city, and that everyone who comes to McGill from the ROC goes back from whence they came. In the words of Dana Carvey impersonating John McLaughlin - WRONG! How about this testimonial from my buddy Chris Main, Kingstonian through and through who has taken his rightful place in a beautiful PVM law office: "I came for the education, I stayed for the 5 à 7, 'stie..."

Which brings us to the question of the official language of Quebec. Sorry, everyone with a "limited proficiency in French" as Ms. Levine put it, but you'll need to speak some French to practice in this province. In fact,

Something else makes this city unique - it is the capital of the mythical land of Transsystemia.

l'Office de la langue française has requirements you'll need to meet. But they are not that hard! My friend Philip Smoke can barely say "bonjour" yet he managed to meet the requirements, so they can't be that bad. Half the Faculty is francophone - start talking to each other now and you'll see your French improve in no time. Another benefit of staying in Montreal - proficiency in a second language. That's a good thing, dammit. And the French culture around here is a major part of what makes this city special and unique. (author's note - this paragraph was written *avant* que j'aie lu les pièces dans le Quid de la semaine dernière about language)

Something else makes this city unique - it is the capital of the mythical land of Transsystemia. For all of you out there wondering how on Earth you can use what you have learned transsystemically, there is only one answer and one place where civil and common law are routinely practiced side by side. Sure, maybe if you make it to the Supreme Court you can use all of what you learned, but for now the only place you can really use all your knowledge of both Obs and Torts is right here. Don't let your knowledge of hypothecs go to waste by heading back home to Winnipeg, and don't abandon your well-earned knowledge of the Rule ►

Against Perpetuities by hanging up a shingle in Ste-Hyacinthe.

Well, I think that about wraps up the view from the other side of the Barreau, where the sun is shining, the birds are singing and life is like a box of chocolates with one of those diagrams that tells you what you're getting. So

An Evening at the Detention Centre

by Sean Rehaag (Law III)

A single tear runs over the lines on his face, drawn by years spent in the sun, as he hides himself behind his work-thickened arms,

arms that would reassure the most night-frightened child.

This man does not belong here behind the razor-wire, guarded by men (and women) with guns and dogs.

"This man does not belong here"

dig into a poutine, turn on Bleu Nuit, head up to the Tam-Tams on Sunday, spark up some Hydro-Quebec and smell the breeze. That smell is life, Montreal-style. Well worth giving up a few thousand bucks a year.

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says the piece of paper between us from Citizenship and Immigration Canada that I fail miserably at translating into the five words of Spanish I know.

His lonely eyes

(I have managed to understand he has left three children back home still facing the dangers he has fled)

ask me to explain what is happening to him.

Despite all the rules in books that I have learnt by heart,

I cannot.

I cannot speak his language.

The Faculty of Law policy against allowing students to take language courses for credit appears increasingly inconsistent with the

aims and aspirations of our community. It strikes most students as absurd that language courses in English or French are not understood to be capable of playing a legitimate role in our transsystemic and bilingual legal education. Moreover, the fact that courses in Financial Accounting and Management are regularly approved for outside credits, while courses such as Advanced Spanish are not, seems at odds with the idea that the Faculty of Law is more than just a way-station on the path to Bay Street.

Unless the Faculty can explain this policy to students in a manner that is consistent with the kind of principles that our community claims to hold, the policy should be changed - and it should be changed in time for students to enroll in language courses in the next semester. ■

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A Training Session in Human Rights Monitoring of Prisons

by Audrey DeMarsico (Law II)

They say the most telling mark of a country's standard of living is its treatment of its prisoners. On January 24, a group of ten law students got an inside look at how Canada treats its detainees.

Alison FitzGerald of the Human Rights Working Group arranged for the students to participate in a training session at the Medium Security Etablissement de Cowansville. Our tour was led by the Assistant Warden and by Catherine Duhamel of the International Legal Resources Centre, an NGO that monitors correctional institutions around the world for human rights violations. The training provides a look at the Canadian system in preparation for monitoring of foreign systems, such as the NGO's current project in Haiti.

The Cowansville Facilities

Assistant Warden Regis Charron showed us a block of private units for familial visits, (which can last for 72 hours every few months); a block of solitary confinement units; an education centre; and a dormitory. He gave an overview of the types of security used, both dynamic (such as patrols) and static (such as fences, locks, and alarms). We also learned about the case management system, and the various rehabilitation programs a detainee might be assigned to when sentenced. Then we got a chance to go inside, for a look at the daily living conditions in a dorm. We walked into the "Club Vie" wing, for detainees with long term sentences. Each cell was a narrow cubicle equipped with toilet, sink, tv, and bunk bed (though apparently singly occupied). Showers were in a shared room at the end of the hall.

Our guide explained to us the problems of alcohol and drug use, showing us a bottle of confiscated home brew made from canned tomatoes, and describing various means by which cocaine and heroine find their way into the institution. Apparently some detainees opt to live in a wing specified "drug free," where they regularly undergo urine tests and have their TV remotes scanned for drug residues. Living in this dorm can count in a detainee's favour when he becomes eligible to apply for transfer to a minimum security institution. We also discussed the risks of disease associated with needle use and underground tattoo-

ing.

Finally, we visited the education centre and workshop. An industrial design classroom was filled with inmates quietly working on calculations, computer simulations, and painstakingly drawn design plans. A shop room was busy with workers making office furniture and dividers for government cube farms, filling a contract with the company Corcan. Participants in this program get a starting salary of \$6.25/day, with the potential of a fifty-cent raise every six months if they show up regularly. The program is closely monitored since workshop equipment has been used for hostage-taking and killing of guards in the past.

A Meeting with Representatives

After the tour we met four lifers, one of whom is President of the Club Vie, which

On January 24, a group of ten law students got an inside look at how Canada treats its detainees.

presents the concerns and demands of long-term prisoners to relevant authorities. These men were eager to tell us their stories and their perspectives on the system's strengths and weaknesses.

One of the reps is now serving his second life sentence, since he re-offended after his first release. He has lived in prisons in B.C., Ontario, and Quebec, and he found the institutions in each province to have different dynamics. In Quebec, he says, there is an aggressive relationship between staff and detainees, rife with mutual hatred. In Ontario, the aggression is mostly among the inmates themselves. In British Columbia, he couldn't get over how polite and friendly everyone was. His best experience was in a psychiatric institution in BC, where he jokes that he would have stayed the rest of his life if he had a choice.

He spoke positively about treatment programs. He told us he was very dangerous at the beginning of his first sentence, but that over the past fifteen years he has had a shift in perspective when he started thinking about the families of the men he had killed, and the

far-reaching consequences of his acts. The programs also got him thinking about his family and his formative experiences, and he believes such analysis of factors leading to a crime can lessen the chance of recidivism.

A couple of men pointed out what they see as a major weakness in the prison's system, which is the use of informers or "rats." For example, if a detainee is caught with drugs, he'll be treated leniently if he rats on others who also hold drugs. If he's shown to be reliable once, his word may be trusted from then on, so that his mere accusation can cause another to be punished or denied parole. The worst part, they said, is that a persistent informer may get out earlier, and because his needs haven't been addressed, he re-offends, and the press picks up on it, parole gets a bad name, the system clamps down, and everyone has a harder time getting out.

The seeming arbitrariness of the case management system is a source of frustration for all of them. As an Anglophone inmate put it, "This place is a cesspool of misery and hate, because they play with your hope." He

believes his life today is defined for the benefit of a paper-pusher's job, so he has nowhere to turn for fairness when he applies for parole, or when another's accusation lands him a stint in a maximum-security jail, which he describes as "gladiator school."

Maximum security, he says, is for punishment; medium is for reprogramming; and minimum is for re-insertion. "Corrections Canada's philosophy is great," he said, "but the implementation is terrible." The department caters too readily to public opinion, gratifying a need for revenge and a sense of safety. Finally, he noted that staff members always look down on prisoners, which hit home when he first arrived and was assigned a number to use instead of his name.

The men also emphasized the impulsive nature of their crimes. Killing someone, they said, is an act of passion in the moment, and it is not usually premeditated. One man described it as making "the wrong choice at the wrong moment." He asked us to remember that, whatever crime a man has committed, he's as human as the man who is judging him. ■

(Note: this is purely descriptive and is not meant to be an opinion piece. I am not taking a position on Canada's public safety system.)

A Righteous Superiority

by Adrian Picard (Law I)

Under the gray buzzing lights of Foundations class this past week, I sat listening intently to the discussion of Canadian Aboriginal legal systems. This is what I heard:

"Aboriginal law should not be used for important crimes like murder and sexual assault." Why? I don't know. No one explained. However, it cannot be because Aboriginal law systems have not traditionally nor successfully dealt with 'important crimes.' Strangely enough, Aboriginal people, like all other people, have anti-social behaviour. Even more bizarre is that their systems dealt with it for a very long time, never even once requiring European lawyers to leap the vast Atlantic turbulence in order to punish a wrongdoer. Aboriginal law systems were and are just as functional as anything Europe has ever conjured up, and should be respected as such.

Possibly the commentator felt this way, because, as another person mentioned, "Aboriginal people may not be able to understand the complexity of western law." Yeah.

Maybe. Somehow, though, it seems that Aboriginal reluctance to adopt European traditions is rooted in something other than intellectual inability. Aboriginal people can understand the common and civil laws and the Criminal Code just fine, they just have little interest in adopting them. You see, complex, well-developed, Aboriginal methods of dealing with socially undesirable behaviour already exist, and do not need replacement.

My favorite quote of the day, however, was this one (and I'm paraphrasing, but not a lot): "If Rwandans can just come here and assimilate in a year, I don't see why aboriginal people can't do the same." What real benefit would this have to anyone? And why would anyone want to force another cultural group to abandon even isolated portions of their world, let alone their entire worldview? We don't ask Jewish people to just give in and attend Sunday mass, or demand that Sikh men remove their turbans. Those requests are more than offensive; they are the infantry of cultural genocide. Why, then, would we want to deploy them against Aboriginal people and

their law?

Maybe I am deluded and this is all just an expression of European legal superiority. Our greatness is true, after all, and we see it every day. The iron gavel of European justice has crushed with devastating blows the crimes of murder, theft, assault, and rape. As can be seen on any television news broadcast, our streets are safe, our rights are protected, and all of our contracts are never broken or misinterpreted. We have indeed achieved superiority - a righteous superiority, one that sparkles golden in its own brilliance. My, my.

So, as I sat in those freakishly uncomfortable chairs, slanted and removed from the blackened table top in front of me, I considered the empty assertions of Europe's greatness. We have no right to impose our law on any people who do not want or need it. Conversely, we must respect Aboriginal legal systems and allow them to function. They can and will do so as long as they are not crushed by our arrogance. If we do not allow them, our assertions of European superiority, in conjunction with the suppression of Aboriginal systems, seem more like asserted supremacy, and not supremacy of the late-seventies Montreal Canadiens variety. ■

My Disappointment

by Elan Roiz (Law III)

The title says it all. Considering that the Dean and the professors tell us that we are the best and the brightest (at least that was their opinion when we entered the Faculty), I'm disappointed that the so-called "movers and shakers" of tomorrow appear to be so self-absorbed that they don't bother with the world around them.

What am I talking about...I'm talking about the complete lack of discourse in the Quid about articles relating the national and foreign affairs. Guys, you have to look up from your books sometime (some of you can replace 'books' with 'free coffee house beer').

War in Iraq is a-brewin'
Israelis are a-votin'
India & Pakistan are a-feudin'
North Korea is a-bomb makin'

The NDP just elected a new leader; the Conservatives and the Liberals will do so shortly.

Quebec seems poised for its 1st ever minority government, but which party will

succeed remains up in the air.

...And the McGill Faculty of Law is indifferent and apparently apathetic to all of these topics. I haven't heard one word about any of these subjects. Sure, some of them aren't happy-happy-fun-fun topics, but they're still out there. I beg of you, write something. Share your views and opinions. I'll be glad to

debate anything and everything with anyone. Or at a bare minimum, create/direct/rehearse some kind of skit nite act about one of these. Come on, who amongst you can do a decent Saddam or Chrétien impression.

In conclusion, write, sing, dance, mime, act, or parody your views about current affairs. ■



*Roses are red,
Violets are blue,
Love's in the air,
Who can we sue?*

Next week is Valentine's Day: share with us your words of love at quid.law@mcgill.ca

Right is Mike

by Michael Hazan (Law I)

I am the last person who should be giving advice to the left-wing of Canadian politics, but in the best interests of Parliament, I truly feel this is part of my democratic duty. All you peaceniks, environmentalists and unionists have something in common: most, if not all of you will vote at least once for the NDP. Further, I have heard most of you whine and complain over the last decade about King Jean and the Liberal Party. However, up until last weekend you had not done a thing to improve your chances in the House or gain the prominence you had back in the 1960s and 1970s. Here is some advice:

Get National Attention: Alexa McDonough's biggest sound bite over the last 10 years was "Jean Chretien is like the Brittany Spears of Canadian politics: Oops I did it Again." While everyone had a good laugh, it appears that the New Democrats did not realize that they were the ones stumbling with only 14 seats in the house and were the butt of many jokes. What I can't believe is that in their first important decision of the millennium, this national party

managed to get buried by the media. I don't know who is running the NDP camp, but who schedules a party convention to elect a new leader on the weekend of the Super Bowl! Jack Layton got elected on Saturday, but this country's two largest newspapers don't run on

Sunday so therefore dear old Jack had to wait until Monday to see his photo. Where did it appear? Not on the cover of the Globe, because that is where the Tampa Bay Buccaneers were seen holding the Vince Lombardi Trophy. Next time NDP, please look at a calendar.

Change your Colours: For those of you who don't know the NDP's colour, it is just plain orange. It seems that the NDP can actually learn something from their lost opportunity on Super Bowl weekend. Up until the Tampa Bay Buccaneers changed their uniforms from Florida orange to sunset red, they barely had any winning seasons in the NFL. Since the change, they have made the playoffs every year and are again favoured to take the Super Bowl. Coincidence? I don't think so. It is time for the NDP to change their colours and turn up the heat on the opposition.

Find New Supporters: This is perhaps the

NDP's biggest challenge, now that Paul Martin is poised to take the next federal election. Most NDP supporters are quite loyal, so the party needs to seek out new life and strange civilizations. No, I am not talking about Romulans and Klingons, but the NDP should go for new voters. Just look at the recent Supreme Court decision regarding prisoners' voting rights. All Canadians currently serving sentences in penitentiaries now have the ability to vote when the next election rolls around. Prospective NDP candidates can now kill two birds with one stone (no pun intended). They can visit prisons, spread their gospel and at the same time see how the facilities are operating. As long as prisoners have a voice and time on their hands, they can be a key demographic in the next election.

Reach out to Quebec: Another interesting development can take place if the NDP follows through with these prison visits. With the new gangsterism legislation in place, many of the head honchos in this province of the Rock Machine and Hell's Angels have been arrested. Even behind bars, they still have a significant clout in many pockets of the province. With a little bit of help, the NDP may get a couple of seats out of groveling ►



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ESPRIT D'ÉQUIPE !




Nos dépisteurs aimeraient vous rencontrer.

Faites-leur parvenir vos statistiques avant le 12 février 2003.

Pour Montréal : Me Tina Hobday
Pour Québec : Me Rico Toffoli

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to Mom Boucher and even sneak up on the mighty Liberals.

There are no quick solutions for lagging parties even if they do elect a new leader. Just ask the Alliance Party when they elected the great white hype, Stockwell Day, as their leader. If Layton wants to succeed he needs to get the party back to their roots. Laid down by visionaries such as Tommy Douglas and McGill's old Dean of Law F.R. Scott, the NDP was known for their social activism. The NDP needs more of this to shore up their support on the left. Maybe the only true answer is to incorporate all the little parties on the spectrum together such as the Green Party, the Marxists-Leninists and the Marijuana Party. These groups, each with their own appeal, should be able to unite together and fight the right. If not, the NDP will sadly remain the old NDP- orange, silent and well below the voter radar screen. ■

I KNOW, THE COVERS SUCK

by Dennis 4-hours-of-sleep-a-night Galiatsatos (Law III)

Sorry guys, I know the cover drawings have been getting pretty crappy recently (many of you have been nice enough to keep reminding me of this!!!). I promise I'll take more time to do them.

The readings these weeks have just been killing me. Remember the movie "My Step Mom's an Alien," where Kim Basinger (rrrRRrrr!) could read entire books in three seconds by slipping her forearm in them??? Well, McGill Law School seems to think that us students have these magical powers. ■

NEWS ITEM - MCGILL LAW CLONES KERWIN CLARKE

by Mike Brazao (Law II)

MONTREAL - Women want him. Men want to be able to see past him in the hallways. And the Faculty of Law at McGill University found him so nice, they enrolled him twice. Kerwin Clarke, Law I (but to the uninitiated - "sir"), is not only a statuesque former varsity footballer and scholar of great repute. Not only can he crack a chestnut using only his pectoral muscles. Not only can he recite the Oakes test as if it were the alphabet. He also happens to be an African-Canadian.

It was these facts combined that incited the administration at McGill Law to enroll him twice in the first year class of 2002-2003. Because this gentle giant is literally the size of two men, faculty administrators saw no harm in "counting" him as two separate students, thus effectively doubling the size of the African-Canadian cohort in 1st year.

McGill Law has long suffered the ignominy of being the Wonder Bread of Canadian law schools. However, for years this dubious distinction had apparently gone unnoticed by administrators, who routinely flaunted the supposed "diversity" of their student body at every possible occasion. This left many observers thinking that the faculty doth protest too much, something which was confirmed by the recent revelation.

Amazingly, when confronted by the Quid Novi regarding their spurious arithmetic, the collective faculty brain trust saw nothing wrong with what they had done. The process, known as "double dipping", has apparently been commonplace for decades. In fact, they explained it as being just one of many "little white lies" that account for why recent faculty diversity statistics show 75% of the faculty to be "persons of colour".

The Quid Novi also learned that another tactic employed is known as "trading races", which happens most frequently when a Caucasian student takes a vacation in a sunny locale and returns to school with a suntan, thus allowing them to be "counted" as either Hispanics or blacks, depending on the amount of SPF used. Fondness for this phenomenon is apparently why McGill Law places their reading break at the end of February, later than most universities in Canada. "We want our students to have optimal exposure to those glorious Caribbean UV rays, which of course become much stronger in late winter", the faculty explained.

While such practices are old hat in the McGill Law community, they might have never come to light were it not for the prying eyes of Montreal-based paparazzi. Infatuated with the specious claims of human cloning advanced by Quebec-based company Clonaid, reporters had been scouring countless membership databases of bizarre, ostracized institutions - the Raelians, Albertans for Gun Control, Alliance Quebec, the NDP - hoping for leads, until coming across a curious anomaly in the rolls of the present first-year class at McGill Law: "Clarke, Kerwin. Clarke, Kerwin".

The investigating Gazette reporter, thinking he had unearthed the first bona-fide case of human cloning this planet has ever seen, was bitterly disappointed by the Faculty's mundane and xenophobic explanation.

While the search for the first human clone continues, the administrative cloning of Mr. Clarke still lives large on paper, and has spawned a healthy debate among the four left-leaning students in the McGill Faculty of Law as to how this process may be eradicated. ■

MELSA Art Show!

Attention to any and all visual artists (including cartoonists): MELSA will be sponsoring another art show in the atrium this year, to be held on Tuesday, March 4. Performances are also welcome, as there will be a vernissage at which to perform. So.. get your crayons and cameras out while its still too cold to loll about the terrasses. Any interested exhibitors, performers or those willing to help out with the event, can contact me @ patrick.meagher@mail.mcgill.ca

President's State of the Union Address

by Jeff Feiner, LSA President (Law III)

First of all, let me wish you all a very happy, belated New Year. The excitement of Law Games (congrats to VP Sports Stephen Panunto for excellent team leadership) was too much for my old system to handle, I suppose, so it has taken me a little longer than anticipated to write this.

As we reach the beginning of February, we have just under three months before we leave this place for another year - it has gone by quite quickly.

We here at the LSA can't believe simply how quickly the time has passed. There is still quite a lot of work left for our team to do. I thought I would take this opportunity to relate to you some of the projects that we have been working on as well as some things that you can expect over the next couple of months.

Dean's Departure

We are all surprised and saddened by the early departure of Dean Leuprecht. He has made an outstanding contribution to the Faculty and we all wish him well in his future endeavours.

We will be ensuring that students are full participants in the process of selecting a new Dean of the Faculty of Law

Faculty Funding

The ad hoc student committee has been meeting regularly along with other concerned students. They will be issuing their own progress report shortly if you're interested in a detailed look into their activities.

Expensive Course Packs

It has come to our attention that law students are potentially being overcharged for their course packs. The prices include a copyright fee that is levied on a per page basis. Given that most materials that law students read are not subject to copyright, law students

in effect are over-paying for their course materials. Our VP Academic, Rachel Faye-Smith is currently investigating just what our options are in this matter.

LSA - SSMU Relations

Four years ago, the Students Society of McGill University operated a Tabagie in the Chancellor Day Hall Basement. When this store was closed down, a contract was signed between the LSA and the SSMU providing for a cash payment to the LSA of \$6000 per year. Given that law student pay \$24 per semester to the SSMU and very few SSMU services are used by law students, a direct transfer of some of the funds was a fair compromise for law students' continued membership in the SSMU.

Last year, the \$6000 fee was not paid to the LSA. Jeff Roberts, VP External, and I have been negotiating with the SSMU executives to try and receive last year's payment. We want to reach a settlement without taking the matter to the Judicial Board of the Students' Society. To date, however, we have still not been able to come to an agreement. Of an expected \$12 000, we have received \$4 000.

The Yearbook

For the first time in several years, the LSA will be producing a yearbook. You may have noticed your class presidents snapping yearbook shots. The editor of the yearbook, Marie-Christine Eldridge, and our VP Admin, Trina Wall, welcome any suggestions you may have.

Coffee Houses

Jess Braun, our VP Internal, is superhuman, as are all of the coffee house volunteers. You may have noticed that several firms that have sponsored coffee houses this semester have donated at least \$500 to the new Social Justice Scholarship Fund, which will help fund student social justice initiatives in the coming

years. Our VP Public Relations Laurent Massam has been soliciting firm money quite successfully so far.

LSA Finances

For the first time this year, the LSA will be preparing audited financial statements. Our tireless VP Finance Eric Blondeau has been busy setting up the LSA's new accounting system.

Bookstore

Should we continue having a Law Bookstore? Are law students actually saving money? Is it worth it? The Bookstore committee will be investigating the answers to these and other questions this semester. Keep posted for updates.

Renovations

It is high time that the physical premises in the Old Chancellor Day Hall Basement, including the Games room and the TV Room be renovated. The LSA is currently investigating several options, including fundraising options, to make this project a reality. If you have any suggestions, please feel free to speak your mind at the LSA Office.

LSA Constitution

Finally, the LSA Constitution has not been revised since 1999. Many LSA Councilors and other students have found the constitution incomplete and cumbersome in certain areas. A committee will be formed with the purpose of recommending possible changes and improvements to the student body. Anyone that is interested should contact me.

This was a quick summary of some of our activities. If you have any ideas, or are thinking about getting involved this year or next, drop by the office and let's have a chat. Remember, it's your LSA.

Have a good semester! ■

Watch out for snails in your beer!

by Jessica Braun, VP Internal (Law II)

As VP Internal, my primary job is to run Coffee House - the central social event of our faculty that in many ways makes going to McGill so much fun. There seems to be an influx of non-law students at sponsored Coffee Houses. Though friends of law students are ALWAYS welcome to attend Coffee

House, it seems unfair that people not connected to the faculty in any way are popping in off the street to enjoy free food and drink. Incidents of vandalism and otherwise inappropriate behaviour have occurred in the past and we (your friendly neighbourhood LSA) also feel that these events get so packed with people that any sense of atmosphere and com-

munity is lost. As a result, we will be putting up signs indicating that people not connected to the law school community are not welcome at Coffee House. We will also be making a concerted effort to ask those people to leave Coffee House, if we come across them. Again, these efforts are NOT directed at friends of people in the law school (after all, things do get a little incestuous around here!). Any thoughts? Feel free to let me know: jessica.braun@mail.mcgill.ca ■

etudiantosler.com

Place aux étoiles

Osler, Hoskin & Harcourt, s.r.l. regroupe quelques-uns des plus brillants juristes au Canada. Pour une deuxième année consécutive, le *Media Guide to the Leading 500 Lawyers in Canada*, publié par *Lexpert/American Lawyer*, classe Osler au premier rang sur le plan de la qualité de l'effectif et de la réputation en droit des affaires dans des domaines tels que les fusions et acquisitions, le financement d'entreprises, la fiscalité des sociétés, le droit bancaire, le droit des sociétés et des affaires et le litige commercial.

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L'univers Osler vous attire, visitez Osler.com

St. Clone, Pray for Me

by Edmund Coates (Alumnus I)

(A priest sits at a table in his office, facing towards stage right, writing. Mr. Samuels and Mr. Ray enter from stage left)

Ray: I'm sorry to disturb you, Father Charles, but John and I wanted to talk to you about our marriage application.

Priest: Oh yes, yes, the application was refused. We can talk about it, but, I'm sorry, the church's answer will always be "no". Both of you are clones: no clone marriage in the church.

Samuels: But we are not clones of each other, we are clones of different people and we love each other. (takes Ray's hand)

Priest: I'm sorry, but cloning goes against human nature. Allowing clone marriage would just encourage more clones.

Samuels: Doesn't eating with a knife and fork go against nature? Doesn't brushing your teeth go against nature? Wait a minute, isn't it you who married Céline Dion and René Angélil?

Priest: O.K., you've got me there. But the Bible teaches us not to allow clones. (opens the bible on his desk and reads from it) Leviticus, chapter 15: The Lord said to Moses and Aaron "Say to the people of Israel: when any man has a discharge from his body, his discharges are unclean. Every bed on which he who has the discharge lies is unclean; and everything on which he sits shall be unclean. And if he who has the discharge spits on one who is unclean, then he shall be unclean until the evening". So you see, no clones, absolutely no clones.

Ray: Who knows what all that meant in Ancient Israel? In any case how can you take that one thing from Leviticus, when you don't follow the other six hundred and eighty things in there?

Priest: Oy vey! You sound just like my rabbi! But what about the theological argument? All the saints, all Roman Catholic seminaries, all Roman Catholic theologians teach one thing: everyone must be the offspring of both a human mother and a human father. As clones, you don't qualify.

Ray: As I understand it, Protestants believe that Jesus was the offspring of both Mary and Joseph.

Priest: Some do, yes.

Ray: But you Catholics believe that Mary had God's child, and Joseph was just there to catch the baby: just like a clone. How could it be otherwise, since Mary was a virgin?

Priest: Ah, virginity, we used to believe that, I used to believe it myself, before Vatican III and Pope Madonna. (he stands) Thank you for your visit.

Samuels: I guess that means we can get married.

Priest: Maybe in ten or twenty years, who knows? In any case, now you understand the church's position.

Ray: Yes, thank you, father, we'll see you at mass Sunday.

(Ray and Samuels move off, to exit stage left, Samuels is last, and is stopped just as he is about to leave the stage)

Priest: Oh, Mr. Samuels, one last thing ... (Priest moves in front of the table and extends his right hand)

Priest: Mr. Samuels, you're much too good for him.

(Samuels extends his hand, but instead of shaking it, Priest reaches behind Samuels and pats Samuels's buttock)

Priest: Come round and see me Saturday night, there will be nobody here but the two of us. ►

Samuels: Will it get me my marriage?
(A woman enters from the back of stage left and moves forward, unnoticed by Priest and Samuels.)

Priest: After you've seen the mirrors in my room, you won't even want to hear about clones for a while. (notices the woman)

Priest: Have you met my wife?

Woman: I'm very happy to meet you.

Priest: I was just going to show Mr. Samuels the bedroom, dear.

Wife: Well don't keep us waiting.
(All exit stage left)

coatesill@hotmail.com ■

Submit to the Quid!

Deadline is Thursday at 5PM.

quid.law@mcgill.ca

So why am I still here anyway?

by Harvey Auerback (Alumnus I)

Doree has a point. I'm writing this article less than a week before yet another exam, but I think it's important that I address Doree's concerns in a timely manner. As it is, the January 21st Quid was only posted on the website today (Friday, January 24th), after the deadline to submit articles for the next Quid. The best I can do is get this article in by next Thursday, unless the Quid staff decide to be charitable with yet another of my articles submitted near or after the deadline.

The title of my article does not refer to the reason why I still submit to the Quid, so I'll treat the point briefly. I do find it cathartic to rant after every exam, but I probably shouldn't inflict the better part of my cynicism on poor McGill Law students during an otherwise peaceful nap in JICP. That said, one can usually figure out the direction of my Quid articles a few paragraphs in, and the reluctant reader need not suffer all four pages of my tirades.

This time, I'd like to share with all of you my reasons for staying in Montreal to practice law. These are not to be taken internally. I just thought you should all know that I'm not only subjecting myself to the Quebec Bar because of some masochism or insanity, but also for a variety of other reasons.

I personally have lots of reasons for staying in Montreal. The Quebec Bar is not one of them. Even though the process of becoming a lawyer in Quebec is almost as bad as we say it is, it's still worth it even for some of us who have an LLB from McGill. Anyway, Bar exams in any jurisdiction are an ordeal that

you only have to endure once. After that, you just pay your dues and continue to be allowed to practice law for as long as you like. When I'm trying to plan a career, I prefer to look past the one-time inconveniences and think long-term.

It's more or less common knowledge in the Faculty that New York and Toronto firms pay better than Montreal firms. It might not be as commonly known that they expect you to earn that extra money by working longer hours. Montreal firms typically expect you to bill between 1600 and 1800 hours a year, with slightly lower targets for most IP and tax departments. I don't know what the targets are in Toronto, but I know that they're in the 2000 hour range. New York firms expect

I'm not only subjecting myself to the Quebec Bar because of some masochism or insanity, but also for a variety of other reasons.

considerably more than that. A little quick math will tell you that 2000 billable hours per year works out to 40 billable hours per week (assuming 50 weeks in a year). That's already all the hours between 9 AM and 5 PM on weekdays, including lunch. Not everything you do will be billable either, including instructing your assistant to do certain tasks for you, writing articles, teaching courses, and the time-consuming task of actually billing a file. Montreal firms will actually make it theoretically possible for you to have a life outside of work. It seems to me that most lawyers at my firm only come in on weekends for the most pressing of emergencies, and some of them are awful hard to get

hold of in the early evening. I find this comforting.

Speaking of the salary gap, it's not what it used to be. You can earn quite a handsome living in Montreal, even early in your career. When I interviewed for articling positions, the big firms were offering upwards of \$70,000 per year to first year associates. I hear that figure is now up to \$78,000 per year. Most large firms will also pay you almost \$50,000 per year as a summer or articling student. This shows how important you are to your firm, as by law your employer is not required to pay you at all during your articling.¹ Many articling positions advertised at the Ecole du Barreau generously offer between \$200 and \$500 per week, and most of those don't come with the possibility of being hired as an associate afterward.

As McGill students and prime lawyer-molding material, we stand a very good chance of actually getting the city's top jobs, if we want them. We're presumed to be better students, we're more likely to be bilingual, and we're more likely to pass the Quebec Bar exams.

In New York, any jobs even made available to McGill students will be the crumbs left over after the Ivy League boys are all snapped up – if the economy can even support the extra two positions that might get filled by a Canadian for reasons the firms there don't quite understand. Even in Toronto, there's this pervasive idea that some of the local law schools are as good as McGill. It's clear this sentiment has yet to spread to our neck of the woods, but it's best to get your applications out early, just in case.

Even when you get your job, you might find it more rewarding to be in a Montreal office. In addition to office culture being generally more laid-back in Montreal, even the ►

Dr. Jekyll and Ms. Hyde: On Study Days, Gender, and the Senate's Roller Coaster Ride

by Lynne Chlala (Law II)

Part I: This part was supposed to have been printed in last week's Quid, but I couldn't get my act together in time! Skip to part II if you're pressed for time, since it's more important...

Well, it's been a while since I've written one of these blurbs, and for that I apologize. There has been a lot of stuff lately that I've been complaining about to those who know me best, and every article I wrote was laced (sometimes rather heavily) with bitter, jaded rants about what was going on. If you're interested in what some of those things were, stop me while I follow the sushi boats around at coffee haus...

But I am writing now in order to share some very good news with all of you. In one of the last articles I wrote, I asked everyone whether or not they thought week-end exams or the cancellation of study day was a good option in order to alleviate the burdens placed on the University due to the explosion of final exams. Although I didn't receive a single email from anyone wishing to weigh in on the issue, I went out on a limb and assumed that you guys thought that the lack of a study day in next year's Fall term would be

a bad idea (crazy assumption, I know).

Interestingly enough, the Committee on Student Affairs meeting that discussed the issue took place right smack dab in the middle of the last exam period (I'll let all of you draw your own conclusions as to why that happened). As a result, only one student representative (Fred Sagel, SSMU VP University Affairs) was able to attend the meeting, and the committee voted to ditch the study day, with one abstention (guess who).

Something interesting happened, however, on the way to Senate. It's a bit complicated to describe the inner workings of this administrative body, so I'll summarize it this way: given the fact that there was overwhelming student opposition to this motion, it was changed into a "discussion period" about this potential change to next year's schedule (due in no small part to Heather Munroe-Blum, McGill's new Principal). When this discussion hit the Senate floor, students were overwhelming in their opposition to the idea, and some administrators and professors even spoke out against the idea.

Fast forward now to last Wednesday's CSA meeting. Although there was still an

another country.

Some of you may not have the same personal connections to Montreal as I have. Perhaps you are from another city or country, and you just came to McGill to study law and take some precious education back to wherever it is you came from. If you've managed to take my advice from previous years' Quid articles and not do all of your readings, you may have had time to see how beautiful this city is. It may seem somewhat frigid now, but you'll warm to it as it warms to you. As an added bonus, you can get from most major law offices to a metro station without venturing outdoors. Montreal is not an easy city to leave behind.

If you want to hear more about how wonderful my job is, feel free to come and talk to me. I'll be at McGill on Wednesday, February 5th, for Career Day. Look for me at the Smart & Biggar table, from around noon to 3 PM. ■

¹ *Labour Standards Act*, R.S.Q. c. N-1.1, s. 40.1.

atmosphere that seemed to infer that students were being overly coddled due to their whininess, there was a recognition that if the Senate tried to pass this bill when faced with overwhelming student opposition, there would be, for lack of a better expression, "Hell to Pay". And so the solution is that we keep our study day, and that the administration will try to find more space in which to administer final exams next Fall.

Why did I go into so much detail about this case? Because it's made me feel a little less jaded and bitter about the ways in which this University works. Don't get me wrong, there are still some pretty substantial problems (and I'll be happy to tell you what they are in a less public forum), but there are reasons to think that the times, they are a changing around here.

Part II: One week later...

You know, sitting on this University's Senate is an emotional roller coaster. One week, I'm filled with hope about the initiatives that the administration is taking; the next I'm so enraged I could scream...

Since I don't trust myself not to fill this blurb with bile and invective, I'll just reproduce the motion that was passed 34-33 in Senate yesterday in its entirety:

Motion to Senate – D02-52

The gender composition of the undergraduate student population at McGill has become increasingly unbalanced in favor of women over the past decade or so, and there are no signs that the trend will not continue.

Whereas McGill values diversity among its students;

Whereas a student population that is predominantly male or female would lack an important element of diversity;

Be it resolved that the University Admissions Committee fully consider the issue of the gender composition of the student population at McGill and report to Senate by April 30, 2003, the result of the discussion, including recommendations as to what, if any, actions should be taken by the University ►

(Why am I still here con't)

big offices are smaller. It makes me feel like an actual human, not a billing machine. Okay, not just a billing machine. In my brief career, I've worked on patent applications and litigation files for some pretty important clients, whose products and services you would immediately recognize. I've had experienced litigators call me into their offices to ask my opinion on whether a patent or copyright was infringed. I've even drafted opinion letters addressed to other lawyers that were more or less passed along as is, with corrections only to the structure and not the substance. I find my job incredibly rewarding, and I don't think I'd feel the same way in an office of 600 anonymous lawyers.

As some of you know, there are also personal ties that keep me in Montreal. I'm getting married in August, and my fiancée has a job here. Her parents have been generous enough to give us a place to live. I also have a number of friends here, and it's hard enough to make time for them with just part-time work and full-time studies, without being in

Avis à tous

Dans les derniers mois, nous avons reçu des articles d'un goût douteux et/ou inutilement agressifs. Comme si cela ne suffisait pas, les auteurs desdits articles ont souvent demandé à rester dans l'anonymat.

We would like to remind our devoted readers that the Quid is an open forum and as such, it is important that all students feel comfortable contributing to it.

Si vous n'êtes pas d'accord avec l'opinion d'un de vos collègues, vous êtes libre de partager vos critiques constructives au sujet des propos exprimés, mais pas de descendre en flammes ceux qui prennent la peine de dire ce qu'ils pensent. Et de le dire poliment, respectueusement.

For those who feel the urge to engage in personal attacks, we supply the following anger management device. Simply cut out the sign below and affix it to the back of the target of your choice:



* Quid Novi staff accepts no liability for injury resulting from the use of this instrument.

** No hamsters were harmed in the making of this issue.

regarding this issue.

In 2002-2003, the overall undergraduate enrollment at McGill was 60.1% women (10,922 undergraduates) and 39.9% men (7242 undergraduates). If you look at a breakdown by faculty, however, it's interesting to note that women tend to be ghettoized in Arts, Education, and Nursing, whereas the Faculty of Engineering is still overwhelmingly male. It's also worth noting that, while the total numbers of full-time graduate students are roughly equal (51% men, 49% women), the same gender disparity that was such a cause for alarm in undergraduate education is also present when it comes to the residents and fellows at McGill (61% male, 39% female).

I would start to talk about how mad I am at the fact that this motion passed, but I may say something in print that I would later regret. I will tell you all, however, that I do feel that this motion sets a dangerous and scary precedent, and that I therefore plan to pass a similar motion at the next Senate meeting, directing the University Admissions Committee to all aspects of this issue. Senate meetings are open, and so I invite all of you to attend the next Senate meeting as well – it's on Wednesday, February 11th, at 2:30 in Leacock 232. Once again, if you have any questions about this situation, or anything else for that matter, feel free to email me at lynne_chlala@hotmail.com, or stop me in the halls. ■



**Vous aurez à vous battre pour vos clients,
mais pas pour votre emploi.**

Nous sommes parmi les seuls cabinets au Québec à assurer l'embauche de nos stagiaires à titre d'avocats, après leur admission au Barreau. Pour nous, le stage est une période d'apprentissage et non pas une ronde éliminatoire.

La raison en est simple: nous avons confiance en nos stagiaires et en nos étudiants et nous sommes déterminés à les voir réussir.

Me Michèle Denis

Directrice des programmes étudiants

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